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PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/722,812 Filing Date TRANSMITTAL November 26, 2003 First Named Inventor **FORM** Se-Hwan Son Art Unit 1774 (to be used for all correspondence after initial filing) **Examiner Name** Marie Rose Yamnitzky Attorney Docket Number 29137.051.00 Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board of Licensing-related Papers Fee Attached Appeals and Interferences Appeal Communication to Group Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request identify below): Response to Restriction Express Abandonment Request Request for Refund Requirement CD, Number of CD(s) Information Disclosure Statement Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Song K. Jung; Reg No. 35,210 MCKENNA LONG & ALDRIDGE LLP Individual name

Reg. No. 42,766 February 13, 2006



Docket No.: 29137.051.00

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Customer No.: 30827

Se-Hwan Son

Application No.: 10/722,812

Confirmation No.: 8128

Filed: November 26, 2003

Art Unit: 1774

For: ELECTROLUMINESCENT DEVICES WITH

Examiner: Marie Rose Yamnitzky

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Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO ELECTION OF SPECIES REQUIREMENT

## Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed January 12, 2006 (Paper No. 01092006), Applicant hereby elects Species A(i), B(i), C(ii), D(i), E(ii), and F(i) with traverse.

Claims 1-25, and 31-40 fall within elected species A(i), with claims 26-30 and 41-46 being generic to species A(i) and A(ii). Claims 41-45 fall within elected species B(i), with claims 1-40, and 46 being generic to species B(i) and B(ii). Claims 23, 24, and 33 fall within elected species C(ii), with claims 1-16, 18-22, 25-32, and 34-46 being generic to species C(i)-C(xi). Claims 1-30, 34, 43, and 44 fall within elected species D(i), with claims 31-33, 35-42, 41, 45, and 46 being generic to species D(i) and D(ii). Applicants recognize claims 31-40 to fall within non-elected species E(i), but claims 1-30, and 41-46 are generic to species E(i) and E(ii). Finally, claim 46 falls within elected species F(i), with claims 1-45 being generic to species F(i) and F(ii).

Accordingly, claims 1-16, 18-30, and 41-46 should be examined as either falling within the elected species or being generic claims.

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Applicants elect with traverse. Two claims, each directed to a different species must cover two separate embodiments. *M.P.E.P.* 806.04(e). However, a claim that is drafted sufficiently broad so that it properly covers two embodiments is not, by definition, of a different species compared to a claim that is drafted more narrowly so that it properly covers only one of the two embodiments. Breadth and species are two different issues. In the instant application, the Applicants respectfully suggest that the Examiner is confusing breadth with species, and request that the Examiner reconsider and withdraw the restriction requirement.

Applicant hereby authorizes the Commissioner of Patents to charges any fees necessary to complete this filing, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, or credit any overpayment in fees, to Deposit Account No. 50-0911. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. Two copies of this sheet are enclosed.

The undersigned hereby signs this filing under the authority provided by 37 C.F.R. § 1.34 pending the filing of a Power of Attorney and Statement under 3.73(b) executed by the Assignee.

Dated: February 13, 2006

Respectfully submitted,

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